

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:10-CV-00433-RJC-DCK

DAVID SHAEV, individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

LANCE, INC., DAVID V. SINGER, W.J.  
PREZZANO, JAMES W. JOHNSTON, S.  
LANCE VAN EVERY, DAN C. SWANDER,  
WILLIAM R. HOLLAND, JEFFREY A.  
ATKINS, J.P. BOLDUC, ISAIAH TIDWELL,  
and SNYDER'S OF HANOVER, INC.,

Defendants.

**CONSENT MOTION AND ORDER FOR  
STAY**

The matter comes before the Court upon joint Motion of the Plaintiff and the Defendants (“the Parties”) as evidenced by the signatures of counsel below.

The Parties to this action have reached a settlement in principle of the dispute that underlies this civil action and the Parties hereby stipulate to this fact. This settlement is contingent upon the closing of the proposed merger between Defendants Lance, Inc., Lima Merger Corp., and Snyder's of Hanover, Inc. substantially in accordance with their Agreement and Plan of Merger, dated as of July 21, 2010, as amended (the “Closing”). Accordingly, the Parties seek to stay this matter pending the Closing.

IT IS THEREFORE ORDERED that this matter be, and hereby is, stayed pending the Closing. The Court, however, will retain jurisdiction of this matter. Within three (3) business

days following the Closing, Plaintiff will submit a Voluntary Dismissal with Prejudice to the Court.

IT IS SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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David C. Keesler  
United States Magistrate Judge

WE SO MOVE AND CONSENT, this 15<sup>th</sup> day of November, 2010:

/s/ Norris A. Adams, II, with permission

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 15, 2010, I electronically filed the foregoing **CONSENT MOTION AND ORDER FOR STAY** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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